

APPENDIX: F

MISSISSIPPI CAPTA UPDATE

(Including MS Fatality and Near Fatality Public Disclosure Policy)

**MISSISSIPPI CAPTA UPDATE
JUNE 2013**

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Legislation

No significant changes were made to affect the state's eligibility.

Use of CAPTA funds

CAPTA Funds have been used to fund a portion of the Mississippi Centralized Intake Program. As of 2013, and additional use of the funds has been added. A full-time DFCS attorney was hired and is responsible for reviewing maltreatment cases for legal sufficiency prior to presentation in court.

Mississippi State Level Citizens Review Board
Annual Report, June 2013

On August 25, 2011 the Citizens Review Board met at the Mississippi Department of Human Services (DHS) with the purpose of making a formal transition to three panels, Northern, Central, and Southern. During this reporting period of October 1, 2011-September 30, 2012, three people were delegated as leads of the three panels. Efforts were made by the DHS staff to contact these delegates for information about the activities of the panels. These efforts were not successful.

In early 2012 DHS received communications from the lead of the Southern Panel reporting that they had not met yet in 2012 but had plans to meet in the spring. This panel had expressed interest in the policies and practices of DHS concerning unmarried couples and the Lesbian, Gay, Bisexual and Transgender (LGBT) population with regards to being foster parents.

The Northern Panel focused on engaging fathers, recruitment of social workers and community resources, especially mental health services. This information was reported to MDHS in May 2012 and no further information was received.

The Central Panel is comprised of a few dedicated members with continued efforts in building a team. At their last meeting in April 2012 they developed strategies to increase membership such as utilizing the members of the Regional Implementation Teams, since the Regional Implementation Teams already include community stakeholders.

Due to personal and professional changes among the delegates charged with leading the panels, the Southern and Northern Teams disbanded in early 2012. As a result of the lack of participation described above the Citizen's Review Panel continues to operate under the same recommendations as 2011:

Recommendations to the agency for 2012-2013:

1. Continue to assist in restructuring three regional panels.
2. Assist the Citizens Review Board in the recruitment and support of panel members – notably from underrepresented sectors, such as business, direct service providers (e.g. foster parents), and past service recipients.
3. Include panel representation in planning activity related to the litigation settlement and accreditation. In particular, utilize specialized panel member expertise (e.g. regarding service expansion) whenever possible.
4. Assist the panel(s) in sustaining regular contact with appropriate agency personnel relative to Board priorities and concerns that may emerge over the course of the year.

Citizen's Review Panel - Strategies for Improvement

During a meeting between DFCS staff and the Children's Bureau staff in April 2013, it was discussed that MS is struggling with membership and direction for the Citizen's Review Panels and Board. Although Mississippi continues to have citizen review input through the Children's Justice Act Task Force, The Children's Trust Fund, and the statewide Child Death Review Panel, it was discussed that there is a need to explore other ways to achieve the outcomes desired from having Citizen's Review Panels. It was discussed that Mississippi may want to explore ways to engage stakeholders who have already shown interest in the work of DFCS through their participation in Regional Implementation Teams throughout the state, possibly even through participation in regional Continuous Quality Improvement Reviews.

Subsequently, the Prevention Unit met to strategize in June 2013. Plans were made to explore the following options to improve citizen's participation in review of DFCS:

- Form a Citizen's Review Panel consisting of former and current foster children. Mario Johnson, Division Director of the Independent Living Unit would be instrumental in this plan, and could utilize the Youth Leadership Team to help with the process.
- The Children's Justice Act (CJA) Task Force, the Children's Trust Fund (CTF), and the statewide Child Death Review Team are already serving in the role of citizen's review for Mississippi. In order to maximize this effort, we will present to the CJA and CTF the process and intent for Citizen's Review Panels. We will explain that as citizens and stakeholders with representation throughout the state, their perspectives and opinions are very valuable to the agency. We would inquire to see if any members are interested in forming sub-groups to work on a project for a specified period of time or if they would like to work as a group and provide input. These groups are already provided with updates on the agency, but more effort can be invested in achieving input on the information given.
- Continue to use the statewide Child Death Review Team annual report to inform policymakers of changes that may need to be made for safety of children based on Mississippi child death statistics.
- Invite stakeholders from Regional Implementation Teams, Children's Justice Act Task Force, Children's Trust Fund, and statewide Child Death Review Panel to participate in Continuous Quality Improvement Case Review process by shadowing DFCS staff

reviewing cases and by participating in meetings in which strengths and areas needing improvement for that region are discussed along with strategies for improvement.

- Continue to seek technical assistance from Blake Jones, and with any others recommended by Children's Bureau. Continue to participate in national meetings with other Citizen's Review Panels in order to learn about successful outcomes in other states.

CAPTA Fatality and Near Fatality Public Disclosure Policy

DFCS policy includes the provision that DFCS will adhere with the CAPTA Policy regarding public disclosure of fatalities and near fatalities due to child abuse or neglect. MS DFCS utilizes the Serious Incident Report process for the purpose of communication regarding child fatalities and other serious incidents between the field staff and administrative staff. However, in further analysis of this process, it was determined that more clarity was needed to ensure that all near fatalities and fatalities due to abuse or neglect were captured, including provision of the CAPTA definition of near fatality in DFCS policy. Policy revisions are currently in process to streamline the Serious Incident Report process to only include fatalities and near fatalities due to abuse and neglect and to communicate clearly the related definitions per CAPTA guidelines. This will also help DFCS to regularly collect the information on fatalities and near fatalities so that it is readily available when requested according to CAPTA guidelines.

Mississippi State Assurances-CAPTA Addendum

PI-11-06, Appendix D; Section 17(f)

17. provisions, procedures, and mechanisms that assure that the State does not require reunification of a surviving child with a parent who has been found by a court of competent jurisdiction-(f)-to be required to register with a sex offender registry under section 113(a) of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16913(a)) (section 106(b)(2)(B)(xvi) of CAPTA).

MS will request section 93-15-103 of the MS Code of 1972 be amended to include the language above be added as grounds for termination of parental rights. MS will request this information be introduced in the form of a bill before the MS legislature by the request for legislation deadline of January 15, 2014.